

**Community Preservation Committee  
And Public Hearing  
Minutes  
October 4, 2016**

**Present:**

Chairperson Helen Dunlap, Mark Pease, Louise Tremblay, Harvey Gagnon, John Hassan, George Malonis and recording Secretary, Marylee Enos. The meeting was held at Dracut Town Hall, 62 Arlington St. Dracut, MA.

**Absent:** Debra DeWitt, Don Plummer, Linda Kawa

Also In attendance; Betsy Ware, Director of Community Development

Present for Public Hearing: Wayne Fox, Gail Fox, Gene Fox, Trustees of the Elm Terrace Family Trust and Roberta Hoffman, a member of the Dracut Land Trust

**Minutes:**

Mark Pease made a motion to approve the August 16<sup>th</sup>, 2016 minutes, Harvey Gagnon seconded the motion. The motion passed.

Chairperson Helen Dunlap called the meeting to order at 7:05 pm

Chairperson Helen Dunlap opened the Public Hearing at 7:10 p.m. and read out loud the public notice that was advertised in the Lowell Sun Newspaper.

Residents of the Town of Dracut, please note that the Dracut Community Preservation Committee will hold a public hearing on Tuesday, October 4, 2016 at 7pm in the Town Hall, First Floor meeting room at 62 Arlington Street, Dracut, MA.

The public hearing is being held to discuss the acquisition of development rights of a parcel or parcels of land at 52A Avis Avenue, Dracut, Ma. The land is presently owned by Elm Terrace Family Trust and consists of 27.7 acres of land.

The property is further described as Dracut Assessor's Map 29, Block 14, Lot 2 and per Northern Middlesex Registry of Deeds, Book 28412, Page 81.

The Dracut Community Preservation Committee is working with the State's Agricultural Preservation Restriction program to acquire the development rights to the land. The land will continue to be owned by the Elm Terrace Family Trust but will remain farmland in perpetuity.

For further information contact MaryLee Enos (978-453-8162) or Betsy Ware (978-453-4557) Dracut Town Hall, 62 Arlington Street, Dracut, MA."

Chairperson Helen Dunlap explained that the CPC will be presenting an article At Town Meeting Monday Nov. 7, 2016 , that states the Dracut Community Preservation Committee (CPC) will be presenting an article that will request approval for using \$750,000 of Community Preservation Act (CPA) funds, to be coupled with \$521,314 (I will explain how this value was reached in a second) from state Agricultural Preservation Restriction (APR) funds, to jointly purchase the development rights of 27.7 acres of farmland at 52A Avis Ave. This farm of the late Alden and Esther Fox will remain in the ownership of their heirs: Gail Fox, Wayne Fox, and Eugene Fox (The Elm Terrace Family Trust). If and when they sell it, it must be kept in active farming, as the APR restriction prohibiting any other use will remain with the deed in perpetuity.

People must realize that these funds are being *spent not to purchase land but to protect it from development*. The same procedure, using both CPA and APR funds, was used in the past to protect both the Leczynski (now Dumaresq) and Saja Farms on Parker Rd., (while APR funds alone were used to protect John Ogonowski's White Gate Farm and Warren Shaw's Farmland on both Marsh Hill Rd. & Old Boston Rd.) In all of these cases ownership remained in private hands. Basically what we are paying the owners is some measure of what they might receive if the land were sold for development. [ How was this figured arrived at? APR had it appraised at "highest and best use" (that is full development in housing) at \$1.525m, & its agricultural value \$63K (note how its value plummets!). The difference is the "APR value", \$1.462m. APR can pay from \$10K to \$18820/acre on its farmland, & they decided on latter b/c this is prime farmland is threatened by development, hence 27.7 ac x \$18820/ac = \$521,314. CPC then voted on \$750K, giving a total of \$1,271,314.]

Engineering plans showed the property could be developed into about **21 single-family homes**. Preventing this from happening will remove at least some of the potential future pressure on the Town's stretched resources. Preserving it will save for future generations more of Dracut's dwindling prime farmland, certainly a priceless resource, allowing local food production, preserving our rural character, and all the environmental and aesthetic benefits that accompany beautiful & healthy open space.

The CPC is delighted to be able to present this before the Dracut residents for the second time, as a similar request failed at the November 2014 Town Meeting. Voters then did NOT approve the article as stated, which asked "up to 1.4 million dollars," because of the uncertainty and magnitude of the amount. The committee is grateful to the Fox family for persisting in their desire to have their family land preserved in honor of their parents, for continuing to work with the CPC, and also to the APR program for their support and recognition of the value of this property. We certainly urge the public to support this article.

Chairperson, Helen Dunlap opened the hearing up for discussion;

Betsy Ware drafted up a handout for the Public Hearing and for Town Meeting that the Foxes looked over along with the board. Gene Fox made a suggestion to see if Betsy can delete that is failed twice before at Town Meeting. Ms. Ware stated she will take care of that.

Wayne Fox wants to make sure we stress that this is a whole new dynamic with hard line numbers, to show the public, dollars and cents, that way they know that x amount of dollars are coming from the town and x amount are being spent from APR.

Mr. Malonis explained that someone might complain about the fact that the town is not going to own it, but as the town is finding out owning it is not the best thing to have when it comes to farmland, because that can cause another set of problems.

Mr. Malonis stated, it would be good idea to explain that there will be a local farmer likely involved in this project. And to compare this to the Dumaresqs Farm, this has been viewed as a very positive project. Also, the Saja Farm, Caroline Zuks farm. The Town loves the concept of these farms. Mr. Malonis explained that this should be part of the presentation at town meeting this time.

Eugene Fox asked if there was going to be any advertising on this before Town Meeting. Helen stated that we are sending out a press release to the Sun, which will include the information and how much we are saving, and what a great deal the town is getting, with comparison to what we would have spent before.

Roberta Hoffman, from the Dracut Land Trust asked if the dollar figures will be attached to the press release to show how much twenty-one houses would cost the town over the next ten to fifty years. Ms. Dunlap stated she wasn't going to but she can if you think it's a good idea. Roberta thought it seems to be dollar figures make a difference when it comes to voters.

Eugene Fox stated this way they can do the comparison. Sometimes you really have to explain it at ground level for them to understand it.

Wayne Fox explained that Gail has pictures and slideshows, to go along with the presentation. Ms. Ware explained to them, they can send them to her and she can make a power point presentation.

Mr. Pease stated, we should not overthink this because it's such a good deal. Mr. Pease stated that the people that are going to come out to Town Meeting are going to be the hard core informed people in Town. The people that care enough to come out are going to be there for a reason.

Helen stated, that Chris Chisholm from APR has promised to be at Town Meeting to answer any questions. Mr. Pease also stated to Helen she could probably go on WCAP also to talk about this. Helen stated she would be glad to.

Wayne Fox stated he is praying this goes through this time, this is a big part of the history of Dracut and our family. Ms. Dunlap thanked the Foxes for sticking with the CPC. Wayne Fox also wanted to give his thanks to the committee for all their help and not giving up on them.

George Malonis asked Helen if there has been any type of written agreement between the Elm Family Trust and the APR. Mr. Malonis explained we need to have a memorandum of

understanding before Town Meeting votes. Helen stated she will check with Chris Chisolm from APR tomorrow.

Ms. Dunlap explained that Chris Chisholm, from APR has promised she will be at town meeting to answer any questions.

Louise Tremblay stated that if the family has any other thoughts or concerns, they should come back to the next meeting we have before Town Meeting.

Mark Pease made a motion to continue the Public Hearing until the October 18<sup>th</sup>, CPC meeting. John Hassan seconded the motion. The motion passed.

**Jeffrey Richardson Parcel, 383 Richardson Rd:**  
**Tabled for now**

**Recreation:**

Mr. Malonis wanted the let the board know that the bathrooms at Monahan Park are opened. The Recreation Board stated that it has been well received and very much appreciated with great feedback.

**Affordable Housing:**  
**No new update**

**Historical:**  
**No new update**

**New Business**  
**No new update**

**Old Business**  
**No new update**

**Next Meeting:**  
**October 18, 2016**

John Hassan made a motion to adjourn the meeting at 8:30 pm, seconded by Louise Tremblay, the Motion passed unanimously.

**COMMUNITY PRESERVATION COMMITTEE**

  
  


  
